

REMARKS

The within Amendment is being filed in response to a Notice of Non-Compliant Amendment mailed on August 22, 2008 (the "Notice"). That Notice indicated that in the listing of claims filed with Applicant's response on May 5, 2008, Claim 22 did not properly show the deletion/ cancellation of text from the previous amendment dated October 24, 2007.

The listing of claims set forth above corrects this earlier informality. In particular, the above listing of claims presents claims 22 with a line through the text "or a sequence which is at least about 60% identical to a nucleic acid sequence selected from the group consisting of: SEQ ID NO: 1, SEQ ID NO: 2, and SEQ ID NO: 3; or a complement thereof." Thus, it is requested that the listing of claims provided herein replace that filed on May 5, 2008.

The balance of the response filed on May 5, 2008, is not reproduced herein, as there is no requirement to do so.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

PETITION FOR EXTENSION OF TIME AND FEE AUTHORIZATION

Applicant hereby petitions for a two month extension of time to file the within response. The Commissioner is authorized to charge the extension fee (and any other fee required in connection with this submission) to our Deposit Account, No. 04-1105, with reference to 59582(47992). Any overpayments should be credited to said Deposit Account.

Dated: October 23, 2008

Respectfully submitted,

Electronic signature: /Christine C. O'Day/
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